

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

CHRISTOPHER McCULLOUGH, # 174 909,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 3:05-CV-1163-WKW
)	(WO)
SGT. JOHN CARMICHAEL, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

There being no objections filed to the Recommendation of the Magistrate Judge (Doc. # 35), and upon an independent review of the file in this case, it is ORDERED as follows:

- (1) The Recommendation is adopted.
- (2) Defendants' motion for summary judgment (Doc. # 11) is GRANTED to the extent Defendants seek dismissal for Plaintiff's failure to exhaust available administrative remedies.
- (3) This case is DISMISSED with prejudice in accordance with the provisions of 42 U.S.C. § 1997e(a) for Plaintiff's failure to exhaust an administrative remedy available to him during his confinement in the Chambers County Detention Center.

An appropriate judgment will be entered.

Done this 2nd day of December, 2008.

/s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE